

REMARKS

Applicants appreciate the Examiner's thorough consideration provided in the present application. Claims 2-13, 15-18, 20-36 and 38-48 are currently pending in the instant application. Claims 2, 21 and 48 have been amended. Claims 2, 5, 18, 21, 38 and 48 are independent. Reconsideration of the present application is earnestly solicited.

Reasons for Entry of Amendment

As discussed in greater detail hereinafter, Applicants respectfully submit that the rejections under 35 U.S.C. § 103(a) are improper and should be withdrawn. Accordingly, the finality of the Final Office Action mailed on January 13, 2003 should be withdrawn.

Applicants respectfully request entry and consideration of the foregoing amendments as they remove issues for appeal and place the current application in a condition for allowance.

Objection to the Drawings

The drawings stand objected to by the draftsperson, since Figures 9 and 10 are not properly separated. A separate Letter to the Official Draftsperson has been provided for the Examiner's consideration. The Letter to the Official Draftsperson includes a proposed drawing correction with changes to Figures 9 and 10 to address the drawing objection.

It is respectfully requested that the Examiner approve the proposed drawing correction attached to the Letter to the Official Draftsperson. Upon approval, the drawings will be corrected to incorporate the proposed changes.

Allowable Subject Matter

Applicants appreciate the Examiner's indication of allowable subject matter. Specifically, claims 5-8, 15, 18, 21-36 and 38-47 have been allowed. In addition, claims 2, 21 and 48 have been amended to include allowable features. Accordingly, claims 2-4, 9-13, 20, 21 and 48 should be allowed.

Claim Rejections Under 35 U.S.C. § 103

Claims 2-4, 9-13, 20, 21 and 48 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Herbert et al. (U.S. Patent No. 5,008,133). This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. Specifically, claims have been amended to more clearly clarify the systems of the claimed invention.

Applicants submit that the prior art of record fails to teach or suggest each and every element of the unique combination of elements of the claimed invention of claims 2-4, 9-13, 20, 21 and 48. Specifically, the prior art of record fails to teach or suggest the limitation(s) of the system for rupturing an

encapsulated adhesive contained in *a dry sheet media* comprising *a dry sheet media* . . . and an activation device for releasing the encapsulated adhesive as the *dry sheet media* is moved past the device by the feeder, wherein the activation device is *an activator blade*" of claims 2, 21 and 48 (emphasis added). Accordingly, these rejections should be withdrawn.

As admitted by the Examiner, the prior art of record is merely "capable" of being applied to a dry sheet media. The Examiner has rejected claims 2, 21 and 48 because the Examiner has alleged that the dry sheet media in these system claims is merely an intended use and therefore should not be afforded patentable weight.

Without conceding the propriety of the Examiner's rejection, but merely to timely expedite the prosecution of the present application, Applicants have amended the system claims of claim 2, 21 and 48 to more clearly claim a dry sheet media. Accordingly, this rejection should be withdrawn.

The Herbert et al. reference is directed to a method of applying/forming a coating on a web. However, the coating mixture, e.g., a wet slurry, is applied in a process of applying a wet slurry to a web, e.g., a wet coating pan (element 20 in FIG. 1) is provided for continuously applying the wet coating to the web with a roller¹⁸. This is clearly not a dry sheet media as would be appreciated by one of ordinary skill in the art. Accordingly, these rejections should be withdrawn.

In accordance with the above discussion of the patents relied upon by the Examiner, Applicants respectfully submit that these documents, either in combination together or standing alone, fail to teach or suggest the invention as is set forth by the claims of the instant application.

Accordingly, reconsideration and withdrawal of the claim rejection are respectfully requested. Moreover, Applicants respectfully submit that the instant application is in a condition for allowance.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state-of-the-art, no further comments are necessary with respect thereto.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

In the event there are any matters remaining in this application, the Examiner is invited to contact Matthew T. Shanley, Registration No. 47,074 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Paul C. Jr.
Joe McKinney Muncy
Reg. No. 32,334
F. O. Box 747
#43,368
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

KM/MTS/cl

Attachment: Version with Markings to Show Changes Made



MARKED-UP VERSION OF AMENDMENTS

IN THE CLAIMS:

The claims have been amended as follows:

2. (Thrice Amended) A system for rupturing an encapsulated adhesive contained in a dry sheet media, comprising:

a dry sheet media;

a feeder for the dry sheet media; and

an activation device for releasing the encapsulated adhesive as the dry sheet media is moved past the device by the feeder, wherein the activation device is an activator blade past which the feeder moves the sheet media along a travel path, the activator blade being fixed in position relative to the path of the sheet media.

21. (Thrice Amended) A system for rupturing an encapsulated adhesive contained in a dry sheet media, comprising:

a dry sheet media;

a feeder for the dry sheet media;

an activation device for releasing the encapsulated adhesive as the sheet media is moved past the device by the feeder, wherein the activation device is an activator blade past which the feeder moves the sheet media along a travel path, the activator blade being fixed in position relative to the path of the sheet media; wherein the feeder moves the sheet media along a travel path, and the

activation device further includes at least one crushing roller being located on one side of the travel path and the activator blade being located on an opposed side of the travel path.

48. (Twice Amended) A system for rupturing an encapsulated adhesive contained in a dry sheet media, comprising:

a dry sheet media;

a feeder for the dry sheet media; and

an activation device for releasing the encapsulated adhesive as the dry sheet media is moved past the device by the feeder, wherein the encapsulated adhesive is an in situ microencapsulated adhesive.